

REMARKS

Claims 1 and 69-96 are pending. Claims 1, 69-79, and 81-96 are canceled herein without prejudice. Claim 80 is amended herein to clarify the claimed subject matter. Accordingly, amended claim 80 is under consideration.

Support for amendment to claim 80 is found throughout the specification and original claims. More specifically, support for amendment to claim 80 is found at page 35, lines 6-8. No issue of new matter is hereby introduced.

The Specification is amended herein to address the informalities identified therein by the Examiner. More specifically, the Specification is amended to update the status of U.S. Application No. 08/212,185. The descriptions of Figures 13 and 23, as presented in the Specification, are amended to reflect aspects of the Formal Drawings. The Specification is also amended herein to correct a clerical error whereby SEQ ID NO:8, rather than SEQ ID NO:7, was indicated as a DNA molecule encoding a 91 kDa protein. No issue of new matter is hereby introduced via these amendments.

Specification

The Specification is amended herein to update the status of U.S. Application No. 08/212,185, which has issued as U.S. Patent No. 6,605,442. The Specification is also amended to conform the descriptions of Figures 13 and 23 with the Formal Drawings and to correct a clerical error whereby SEQ ID NO:8, rather than SEQ ID NO:7, was indicated as a DNA molecule encoding a 91 kDa protein. In view of the above, it is believed that the objection to the Specification may be withdrawn.

Rejections under 35 USC § 112

Claim 80 is rejected under 35 USC § 112, second paragraph, for alleged indefiniteness. Claim 80 is amended herein to define the hybridization conditions sought in the claim. In view of the amendment to the claim 80, the rejection, as it applied to the claim is respectfully traversed.

In view of the amendment to claim 80, therefore, reconsideration and withdrawal of the rejection of this claim under 35 USC § 112, second paragraph, are respectfully requested.

**Rejection Under the Judicially Created Doctrine of Obviousness-Type Double
Patenting**

Claim 80 is rejected on the ground of nonstatutory obviousness-type double patenting as allegedly unpatentable over claims 1-4 and 7-11 of U.S. Patent No. 6,124,118. A Terminal Disclaimer is attached hereto, the filing of which is believed to overcome the above rejection of claim 80 of the present invention under the judicially created doctrine of obviousness-type double patenting.

Claim 80 has been rejected on the ground of nonstatutory obviousness-type double patenting as allegedly unpatentable over claims 1-15, 21-26, and 29-34 of U.S. Patent No. 5,976,835. A Terminal Disclaimer is attached hereto, the filing of which is believed to overcome the above rejection of claim 80 of the present invention under the judicially created doctrine of obviousness-type double patenting.

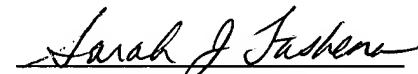
Fees

No additional fees are believed to be necessitated by this amendment. However, should this be an error, authorization is hereby given to charge Deposit Account No. 11-1153 for any underpayment or to credit any overpayment.

Conclusion

It is submitted, therefore, that the claims are in condition for allowance. No new matter has been introduced. Allowance of all claims at an early date is solicited. In the event that there are any questions concerning this amendment, or application in general, the Examiner is respectfully urged to telephone the undersigned so that prosecution of this application may be expedited.

Respectfully submitted,



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June 12, 2007

Enclosures: Petition for a Three Month Extension of Time
Terminal Disclaimers